

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**KAMAL RAVIKANT,**

**Plaintiff,**

**- against -**

**CHRISTINE H. ROHDE, M.D., JOSEPH P.  
ALUKAL, M.D., JARROD BOGUE, M.D.,  
COLUMBIA DOCTORS FACULTY PRACTICE  
GROUP OF THE COLUMBIA UNIVERSITY  
IRVING MEDICAL CENTER AND THE NEW  
YORK AND PRESBYTERIAN HOSPITAL,**

**Defendants.**

**X**

**No. 21-cv-04758 (GHW)(OW)**

**NOTICE OF INTENTION TO FILE  
MOTION FOR RECONSIDERATION  
OF DISCOVERY ORDER**

**REQUEST FOR PERMISSION TO  
ATTACH AFFIDAVITS TO MOTION  
FOR RECONSIDERATION**

**REQUEST FOR STAY OF ORDER**

**X**

Hon. Magistrate Judge Ona Wang, please take notice Plaintiff intends to file a timely motion for reargument referable to the March 18, 2022 Court's Discovery Order [ECF 73]. The basis for reconsideration will be the Court's conversion of Defendants' Motion for a Conference and Plaintiff's Motion to Set A Date for Deposition Questioning to Defendants Motion for a Protective Order and the resultant ruling on the merits based on the limited three-page submissions of the parties. Plaintiff could not provide the Court with knowledge of all the facts required to be considered based on the limited informal pleading submissions. By converting the Motion for a Conference to a Motion for a Protective Order, *sua sponte* without notice to the parties, it is respectfully urged an abuse of judicial discretion occurred as it deprived Plaintiff of his constitutional right to due process and to be heard in furtherance of the facts and merits of the discovery issues.

In connection with the filing of his Motion for Reargument, Plaintiff requests permission to attach affidavits/declarations of medical experts, Irwin Goldstein, M.D., Dean Ittig, Ph.D., and

the undersigned, which is not permitted absent the granting of permission pursuant to Local Rule 6.3. This request to submit supporting declarations is also necessary to provide a full and complete record to the District Court for review of Discovery Order ECF 73 if review of the Order is requested.

Plaintiff requests the Court issue a stay of its March 18, 2022, Discovery Order [ECF 73] pending determination on the Motion for Reargument. The basis for the stay request is to allow sufficient time for the Court to evaluate the facts and law and consider the affidavits/declarations of experts and counsel on the discovery issues.

Plaintiff requests as an additional basis for a stay request of the March 18, 2022 Discovery Order [ECF 73] that there is pending the determination of his Motion for Recusal pursuant to 28 U.S.C. § 455(a) and (b). [ECF 74 75 and 76].

Respectfully submitted,

Executed March 24, 2022

Steven B. Stein  
Steven B. Stein

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